THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.20096 OF 2005

DATED:13.9.2005

Between:

Md.Nooruddin

…Petitioner

And

The District Collector, Guntur District, Guntur and another

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.20096 OF 2005

ORDER:

The petitioner is resident of Narasaraopeta municipal area. On the eve of municipal elections, 2005, he approached second respondent who is Election Officer requesting for nomination forms. On the ground petitioner's name was not found in voters' list of Ward No.8, second respondent refused to furnish nomination papers. Present Writ Petition is filed assailing the said action.

Learned counsel for the petitioner, Sri M.L.Ali, submits that on 16.8.2005 its petitioner has submitted form No.6 to the Mandal Revenue Officer for inclusion of his

name in the voters' list of the ward and petitioner was under the impression that necessary action would be taken on his application.

The very application filed by the petitioner in form No.6 would show that petitioner's name was not included in the voters' list of ward No.8 and therefore second respondent was justified in refusing to issue nomination forms. Be it noted that as per Rule 6 of the A.P. Municipal Councils/ Nagar Panchayats (Conduct of Elections) Rules, 1965, unless and until a person is included as voter in the municipality, he is not eligible to contest the election.

The Writ Petition is devoid of merit and is accordingly dismissed. It shall however be open to petitioner to challenge the election by filing appropriate election petition.

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(V.V.S.RAO, J)

13.9.2005

bnr

Note: CC in three days.

(B.O)

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